YOUNG CONAWAY STARGATT & TAYLOR, LLP

BRUCE M. STARGATT BEN T. CASTLE SHELDON N. SANDLER RICHARD A. LEVINE RICHARD A. ZAPPA FREDERICK W. IOBST RICHARD H. MORSE NICHARD H. MORSE DAVID C. MCBRIDE JOSEPH M. NICHOLSON CRAIG A. KARSNITZ BARRY M. WILLOUGHBY JOSY W. INGERSOLL JOSY W. INGERSOLL ANTHONN G. FLYNN JEROME K. GROSSMAN EUGENE A. DIPRINZIO JAMES L. PATTON, JR ROBERT L. THOMAS WILLIAM D. JOHNSTON TIMOTHY J. SNYDER BRUCE L. SILVERSTEIN WILLIAM W. BOWSER LARRY J. TARABICOS RICHARD A. DILIBERTO, JR. MELANIE K. SHARP CASSANDRA F. ROBERTS RICHARD J.A. POPPER TERESA A. CHEEK NEILLI MULLEN WALSH JANET Z. CHARLTON ROBERT S. BRADY JOEL A. WAITE BRENT C. SHAFFER DANIEL P. JOHNSON CRAIG D. GREAR TIMOTHY JAY HOUSEAL BRENDAN LINEHAN SHANNON MARTIN S. LESSNER PAULINE K. MORGAN C. BARR FLINN NATALIE WOLF NATALIE WOLF
LISA B GOODMAN
JOHN W. SHAW
JAMES P. HUGHES, JR.
EDWIN J. HARRON MICHAEL R. NESTOR MAUREEN D. LUKE

ROLIN P. BISSELL SCOTT A. HOLT JOHN T. DORSEY M. BLAKE CLEARY

ATHANASIOS E. AGELAKOPOULOS JOSEPH M. BARRY SEAN M. BEACH DONALD J. BOWMAN, JR. TIMOTHY P. CAIRNS CURTIS I CROWTHER MARGARET M. DIBIANCA ERIN EDWARDS KENNETH J. ENOS IAN S. FREDERICKS JAMES J. GALLAGHER DANIELLE GIBBS
ALISON G.M. GOODMAN SEAN T. GREECHER KARA S. HAMMOND DAWN M. JONES RICHARD S. JULIE KAREN E. KELLER JENNIFER M. KINKUS EDWARD J. KOSMOWSKI JOHN C. KUFFEL TIMOTHY E. LENGKEEK MATTHEW B. LUNN MATTHEW B. LUNN
JOSEPH A. MALFITANO
GLENN C. MANDALAS
ADRIA B. MARTINELLI
MICHAEL W. MCDERMOTT
MATTHEW B. MCGUIRE MARIBETH L. MINELLA EDMON L. MORTON D. FON MUTTAMARA-WALKER JENNIFER R. NOEL JOHN I PASCHETTO ADAM W. POFF SETH J. REIDENBERG FRANCIS J. SCHANNE MICHELE SHERRETTA MICHAEL P. STAFFORD JOHN E. TRACEY ALFRED VILLOCH, III

THE BRANDYWINE BUILDING 1000 WEST STREET, 17TH FLOOR WILMINGTON, DELAWARE 19801

P.O. Box 391 Wilmington, Delaware 19899-0391

> (302) 571-6600 (800) 253-2234 (DE ONLY) FAX: (302) 571-1253

WRITER'S DIRECT DIAL NUMBERS VOICE: (302) 571-6689 FAX: (302) 576-3334

E-MAIL: jshaw@ycst.com

H. ALBERT YOUNG 1929-1982 H. JAMES CONAWAY, JR 1947-1990 WILLIAM F. TAYLOR 1954-2004

STUART B. YOUNG EDWARD B. MAXWELL, 2ND OF COUNSEL

JOHN D. MCLAUGHLIN, JR. ELENA C. NORMAN (NY ONLY) PATRICIA A. WIDDOSS SPECIAL COUNSEL

GEORGETOWN OFFICE 110 WEST PINE STREET P.O. BOX 594 GEORGETOWN, DELAWARE 19947 (302) 856-3571 (800) 255-2234 (DE ONLY) FAX: (302) 856-9338

May 11, 2005

BY EM/ECF

The Honorable Joseph J. Farnan, Jr. United States District Court 844 North King Street Wilmington, Delaware 19801

MARGARET B. WHITEMAN CHRISTIAN DOUGLAS WRIGHT SHARON M. ZIEG

Re:

MBIA Ins. Corp. ("MBIA") and Wells Fargo Bank N.A. ("Wells Fargo") v. Royal, C.A. No. 02-1294-JJF

Charles A. Stanziale, Jr. Chapter 7 Trustee of Student Finance Corp. v. Pepper Hamilton, et al., C.A. No. 04-1551-JJF

Charles A. Stanziale, Jr., Chapter 7 Trustee of Student Finance Corp. v. McGladrey & Pullen LLP, et al., C.A. No. 05-72-JJF

Royal v. Pepper Hamilton, et al., C.A. No. 05-165-JJF

Dear Judge Farnan:

We represent plaintiffs and counterclaim defendant Wells Fargo in Civil Action No. 02-1294. We write regarding the letters to the Court dated April, 14, April 15, April 28, May 6 and May 9, 2005 seeking a joint status conference to consider the schedules for all four of the proceedings referred to above.

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As the Court is aware, all of the claims asserted by Wells Fargo, as well as by MBIA, in Case No. 02-1294, have already been adjudicated, as have most of Royal's counterclaims against those parties. The only remaining claim involving either Wells Fargo or MBIA is Royal's counterclaim against Wells Fargo for alleged breach of contract.

We respectfully submit that a joint conference with the Court to consider a schedule for all four of these actions is premature. We request that before any such conference, consistent with FRCP Rules 16 and 26(f), the various parties to these actions be ordered to confer regarding a proposed joint schedule that takes into account the different procedural posture of these cases. We believe proceeding this way makes more sense because it will narrow the issues to be raised and decided by the Court.

Respectfully submitted,

John W. Shaw

JWS:pt

Clerk of the Court (by hand delivery) cc: Tiffany L. Geyer, Esquire (by hand delivery) Joseph H. Huston, Jr., Esquire (by hand delivery) Peter C. Hughes, Esquire (by hand delivery) William H. Sudell, Jr., Esquire (by hand delivery) Karen Lee Turner, Esquire (by hand delivery) Christopher A. Ward, Esquire (by hand delivery) Christopher M. Wint, Esquire (by hand delivery) Vernon R. Proctor, Esquire (by hand delivery) Dawn N. Zubrick, Esquire (by hand delivery) Michael H. Barr, Esquire (by facsimile) Bruce S. Haines, Esquire (by facsimile) Charles Z. Stanziale, Esquire (by facsimile) Richard Swanson, Esquire (by facsimile) Neil G. Epstein, Esquire (by facsimile) Sheryl Auerback, Esquire (by facsimile) John Grossbart, Esquire (by facsimile) Elizabeth K. Ainslie, Esquire (by facsimile) David Pittinsky, Esquire (by facsimile) Ronald S. Rauchberg, Esquire (by facsimile)

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